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8 Attorneys for Plaintiff  
9 UNITED STATES OF AMERICA

10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 JOHN DOOLEY,  
aka "JD," and  
16 ROBERT NASH,  
aka "Snoop," aka "Snoopus,"

17 Defendants.  
18

No. CR 2:22-cr-00127-PA-2

PLEA AGREEMENT FOR DEFENDANT  
DEFENDANT ROBERT NASH

19  
20 1. This constitutes the plea agreement between ROBERT NASH  
21 ("defendant") and the United States Attorney's Office for the Central  
22 District of California (the "USAO") in the investigation of  
23 defendant's conduct as described in paragraph 9 below. This  
24 agreement is limited to the USAO and cannot bind any other federal,  
25 state, local, or foreign prosecuting, enforcement, administrative, or  
26 regulatory authorities.

27 DEFENDANT'S OBLIGATIONS

28 2. Defendant agrees to:

1           a. Give up the right to indictment by a grand jury and,  
2 at the earliest opportunity requested by the USAO and provided by the  
3 Court, appear and plead guilty to a one-count information in the form  
4 attached to this agreement as Exhibit A or a substantially similar  
5 form, which charges defendant with conspiracy to commit copyright  
6 infringement, in violation of 18 U.S.C. § 371.

7           b. Not contest facts agreed to in this agreement.

8           c. Abide by all agreements regarding sentencing contained  
9 in this agreement.

10          d. Appear for all court appearances, surrender as ordered  
11 for service of sentence, obey all conditions of any bond, and obey  
12 any other ongoing court order in this matter.

13          e. Not commit any crime; however, offenses that would be  
14 excluded for sentencing purposes under United States Sentencing  
15 Guidelines ("U.S.S.G." or "Sentencing Guidelines") § 4A1.2(c) are not  
16 within the scope of this agreement.

17          f. Be truthful at all times with the United States  
18 Probation and Pretrial Services Office and the Court.

19          g. Pay the applicable special assessment at or before the  
20 time of sentencing unless defendant has demonstrated a lack of  
21 ability to pay such assessments.

22                                   THE USAO'S OBLIGATIONS

23          3. The USAO agrees to:

24           a. Not contest facts agreed to in this agreement.

25           b. Abide by all agreements regarding sentencing contained  
26 in this agreement.

27           c. At the time of sentencing, provided that defendant  
28 demonstrates an acceptance of responsibility for the offense up to

1 and including the time of sentencing, recommend a two-level reduction  
2 in the applicable Sentencing Guidelines offense level, pursuant to  
3 U.S.S.G. § 3E1.1, and recommend and, if necessary, move for an  
4 additional one-level reduction if available under that section.

5 d. At the time of sentencing, provided that defendant  
6 complies with paragraph 2 and the other provisions of this agreement  
7 up through the time of sentencing, recommend that defendant be  
8 sentenced to a term of probation not to exceed two years, based on  
9 the factors set forth in 18 U.S.C. § 3553(a)(1)-(7), including  
10 defendant's personal history and characteristics and the unique  
11 circumstances of this case.

12 NATURE OF THE OFFENSE

13 4. Defendant understands that for defendant to be guilty of  
14 the crime charged in count one, that is, conspiracy to commit  
15 copyright infringement, in violation of Title 18, United States Code,  
16 Section 371, the following must be true: first, there was an  
17 agreement between two or more persons to commit at least one crime as  
18 charged in the information; second, the defendant became a member of  
19 the conspiracy knowing of at least one of its objects and intending  
20 to help accomplish it; and third, one of the members of the  
21 conspiracy performed at least one overt act for the purpose of  
22 carrying out the conspiracy. The elements of the object of the  
23 conspiracy, copyright infringement, are as follows: first, a person  
24 reproduced or distributed a work protected by copyright; second, the  
25 person acted willfully (in disregard of a known legal duty); and  
26 third, the person reproduced or distributed 10 or more copies of one  
27 or more copyright works within 180 days, and the total retail value  
28 of the works was more than \$2,500.

PENALTIES

5. Defendant understands that the statutory maximum sentence that the Court can impose for a violation of Title 18, United States Code, Section 371, is: five years' imprisonment; a three-year period of supervised release; a fine of \$250,000 or twice the gross gain or gross loss resulting from the offense, whichever is greatest; and a mandatory special assessment of \$100.

6. Defendant understands that supervised release is a period of time following imprisonment during which defendant will be subject to various restrictions and requirements. Defendant understands that if defendant violates one or more of the conditions of any supervised release imposed, defendant may be returned to prison for all or part of the term of supervised release authorized by statute for the offense that resulted in the term of supervised release, which could result in defendant serving a total term of imprisonment greater than the statutory maximum stated above.

7. Defendant understands that, by pleading guilty, defendant may be giving up valuable government benefits and valuable civic rights, such as the right to vote, the right to possess a firearm, the right to hold office, and the right to serve on a jury. Defendant understands that he is pleading guilty to a felony and that it is a federal crime for a convicted felon to possess a firearm or ammunition. Defendant understands that the conviction in this case may also subject defendant to various other collateral consequences, including but not limited to revocation of probation, parole, or supervised release in another case and suspension or revocation of a professional license. Defendant understands that unanticipated

1 collateral consequences will not serve as grounds to withdraw  
2 defendant's guilty plea.

3       8. Defendant understands that, if defendant is not a United  
4 States citizen, the felony conviction in this case may subject  
5 defendant to: removal, also known as deportation, which may, under  
6 some circumstances, be mandatory; denial of citizenship; and denial  
7 of admission to the United States in the future. The Court cannot,  
8 and defendant's attorney also may not be able to, advise defendant  
9 fully regarding the immigration consequences of the felony conviction  
10 in this case. Defendant understands that unexpected immigration  
11 consequences will not serve as grounds to withdraw defendant's guilty  
12 plea.

13                                   FACTUAL BASIS

14       9. Defendant admits that defendant is, in fact, guilty of the  
15 offense to which defendant is agreeing to plead guilty. Defendant  
16 and the USAO agree to the statement of facts provided below and agree  
17 that this statement of facts is sufficient to support a plea of  
18 guilty to the charge described in this agreement and to establish the  
19 Sentencing Guidelines factors set forth in paragraph 11 below but is  
20 not meant to be a complete recitation of all facts relevant to the  
21 underlying criminal conduct or all facts known to either party that  
22 relate to that conduct.

23       Beginning on an unknown date and continuing to at least October  
24 31, 2018, in Los Angeles County, within the Central District of  
25 California, and elsewhere, defendant, co-defendant John Dooley  
26 ("DOOLEY"), and others knowingly conspired and agreed with each other  
27 to willfully infringe, and in fact did willfully infringe, the  
28 copyrights of copyrighted works, in violation of Title 17, United

1 States Code, Section 506(a)(1)(B), and Title 18, United States Code,  
2 Section 2319(a), (c)(1), as described in Count One of the  
3 information. In furtherance of the conspiracy and to accomplish its  
4 objects, defendant, co-defendant DOOLEY, and others, committed  
5 various overt acts within the Central District of California, and  
6 elsewhere. Defendant, co-defendant DOOLEY, and others willfully  
7 reproduced and distributed more than ten copies of copyright-  
8 protected works, with a total retail value exceeding \$2,500, within a  
9 180-day period. Specifically, beginning around 2009, defendant  
10 became a member of the online piracy organization called  
11 "LOL/Dimension." As an active member of this organization, defendant  
12 intercepted satellite signals and recorded television shows and other  
13 copyright-protected digital assets and would then digitally  
14 distribute those assets to other members of the "LOL/Dimension"  
15 group, including through communications via Internet Relay Chat and  
16 by upload to the group's FTP server. Defendant also downloaded to  
17 his computer copyright-protected digital assets that had been posted  
18 by others in the "LOL/Dimension" group. Further, to facilitate the  
19 group's online piracy objectives, defendant would share and receive  
20 instructions regarding satellite signal interception and decryption.

21 On or about November 17, 2013, defendant intercepted, recorded,  
22 and then uploaded to the "LOL/Dimension" FTP server a digital file of  
23 a copyright-protected asset, specifically, a recording of the  
24 National Football League game played that day between the Arizona  
25 Cardinals and the Jacksonville Jaguars. Defendant also intercepted,  
26 recorded, and uploaded numerous other copyright-protected digital  
27 assets, as described in Count One of the information. On or about  
28

1 October 31, 2018, defendant possessed reproductions of at least the  
2 following copyright-protected digital assets on his computer:

- 3 • "Gold Rush: White Water" Season 1, Episode 2
- 4 • "Gold Rush: White Water" Season 1, Episode 6
- 5 • "Gold Rush: White Water" Season 1, Episode 8
- 6 • "Halt and Catch Fire" Season 1, Episode 2
- 7 • "Halt and Catch Fire" Season 1, Episode 4
- 8 • "Halt and Catch Fire" Season 1, Episode 6
- 9 • "Halt and Catch Fire" Season 1, Episode 9
- 10 • "Halt and Catch Fire" Season 3, Episode 1
- 11 • "Halt and Catch Fire" Season 3, Episode 2
- 12 • "Halt and Catch Fire" Season 3, Episode 3
- 13 • "Halt and Catch Fire" Season 3, Episode 4
- 14 • "Halt and Catch Fire" Season 3, Episode 5
- 15 • "Halt and Catch Fire" Season 3, Episode 6
- 16 • "Halt and Catch Fire" Season 3, Episode 7
- 17 • "Halt and Catch Fire" Season 3, Episode 8
- 18 • "Halt and Catch Fire" Season 3, Episode 9
- 19 • "Halt and Catch Fire" Season 3, Episode 10
- 20 • "Halt and Catch Fire" Season 4, Episode 4
- 21 • "Nurse Jackie" Season 5, Episode 7
- 22 • "Nurse Jackie" Season 6, Episode 2
- 23 • "Nurse Jackie" Season 6, Episode 5
- 24 • "Nurse Jackie" Season 7, Episode 1
- 25 • "Manhattan" Season 1, Episode 1
- 26 • "Manhattan" Season 1, Episode 3
- 27 • "Manhattan" Season 1, Episode 4
- 28 • "Manhattan" Season 1, Episode 5

- "Manhattan" Season 1, Episode 6
- "Manhattan" Season 1, Episode 7
- "Manhattan" Season 1, Episode 8

SENTENCING FACTORS

10. Defendant understands that in determining defendant's sentence the Court is required to calculate the applicable Sentencing Guidelines range and to consider that range, possible departures under the Sentencing Guidelines, and the other sentencing factors set forth in 18 U.S.C. § 3553(a). Defendant understands that the Sentencing Guidelines are advisory only, that defendant cannot have any expectation of receiving a sentence within the calculated Sentencing Guidelines range, and that after considering the Sentencing Guidelines and the other § 3553(a) factors, the Court will be free to exercise its discretion to impose any sentence it finds appropriate up to the maximum set by statute for the crime of conviction.

11. Defendant and the USAO agree to the following applicable Sentencing Guidelines factors:

Base Offense Level:	8	U.S.S.G. § 2X1.1, 2B5.3(a)
Infringement Amount Exceeded \$2,500	+1	U.S.S.G. § 2B5.3(b)(1)(A)
Offense Involved Upload of Infringing Items	12	U.S.S.G. § 2B5.3(b)(3)(A)
Offense Not Committed for Commercial Advantage or Private Financial Gain	-2	U.S.S.G. § 2B5.3(b)(4)

Defendant and the USAO reserve the right to argue that additional specific offense characteristics, adjustments, and departures under the Sentencing Guidelines are appropriate.



1           12. Defendant understands that there is no agreement as to  
2 defendant's criminal history or criminal history category.

3           13. Defendant and the USAO reserve the right to argue for a  
4 sentence outside the sentencing range established by the Sentencing  
5 Guidelines based on the factors set forth in 18 U.S.C. § 3553(a)(1),  
6 (a)(2), (a)(3), (a)(6), and (a)(7).

7                               WAIVER OF CONSTITUTIONAL RIGHTS

8           14. Defendant understands that by pleading guilty, defendant  
9 gives up the following rights:

10               a. The right to persist in a plea of not guilty.

11               b. The right to a speedy and public trial by jury.

12               c. The right to be represented by counsel -- and if  
13 necessary have the Court appoint counsel -- at trial. Defendant  
14 understands, however, that, defendant retains the right to be  
15 represented by counsel -- and if necessary have the Court appoint  
16 counsel -- at every other stage of the proceeding.

17               d. The right to be presumed innocent and to have the  
18 burden of proof placed on the government to prove defendant guilty  
19 beyond a reasonable doubt.

20               e. The right to confront and cross-examine witnesses  
21 against defendant.

22               f. The right to testify and to present evidence in  
23 opposition to the charges, including the right to compel the  
24 attendance of witnesses to testify.

25               g. The right not to be compelled to testify, and, if  
26 defendant chose not to testify or present evidence, to have that  
27 choice not be used against defendant.

1 h. Any and all rights to pursue any affirmative defenses,  
2 Fourth Amendment or Fifth Amendment claims, and other pretrial  
3 motions that have been filed or could be filed.

4 WAIVER OF VENUE

5 15. Having been fully advised by defendant's attorney regarding  
6 the requirements of venue with respect to the offense to which  
7 defendant is pleading guilty, to the extent the offense to which  
8 defendant is pleading guilty was committed, begun, or completed  
9 outside the Central District of California, defendant knowingly,  
10 voluntarily, and intelligently waives, relinquishes, and gives up:  
11 (a) any right that defendant might have to be prosecuted only in the  
12 district where the offense to which defendant is pleading guilty was  
13 committed, begun, or completed; and (b) any defense, claim, or  
14 argument defendant could raise or assert based upon lack of venue  
15 with respect to the offense to which defendant is pleading guilty.

16 WAIVER OF APPEAL OF CONVICTION

17 16. Defendant understands that, with the exception of an appeal  
18 based on a claim that defendant's guilty plea was involuntary, by  
19 pleading guilty defendant is waiving and giving up any right to  
20 appeal defendant's conviction on the offense to which defendant is  
21 pleading guilty. Defendant understands that this waiver includes,  
22 but is not limited to, arguments that the statutes to which defendant  
23 is pleading guilty are unconstitutional, and any and all claims that  
24 the statement of facts provided herein is insufficient to support  
25 defendant's plea of guilty.

26 WAIVER OF APPEAL OF SENTENCE AND COLLATERAL ATTACK

27 17. Defendant agrees that, provided the Court imposes a total  
28 term of imprisonment on all counts of conviction within or below the

1 range corresponding to an offense level of 8 and the criminal history  
2 category calculated by the Court, defendant gives up the right to  
3 appeal all of the following: (a) the procedures and calculations used  
4 to determine and impose any portion of the sentence; (b) the term of  
5 imprisonment imposed by the Court; (c) the fine imposed by the Court,  
6 provided it is within the statutory maximum; (d) to the extent  
7 permitted by law, the constitutionality or legality of defendant's  
8 sentence, provided it is within the statutory maximum; (e) the term  
9 of probation or supervised release imposed by the Court, provided it  
10 is within the statutory maximum; and (f) any of the following  
11 conditions of probation or supervised release imposed by the Court:  
12 the conditions set forth in Second Amended General Order 20-04 of  
13 this Court; the drug testing conditions mandated by 18 U.S.C.  
14 §§ 3563(a)(5) and 3583(d); and the alcohol and drug use conditions  
15 authorized by 18 U.S.C. § 3563(b)(7).

16 18. Defendant also gives up any right to bring a post-  
17 conviction collateral attack on the conviction or sentence, except a  
18 post-conviction collateral attack based on a claim of ineffective  
19 assistance of counsel, a claim of newly discovered evidence, or an  
20 explicitly retroactive change in the applicable Sentencing  
21 Guidelines, sentencing statutes, or statutes of conviction.  
22 Defendant understands that this waiver includes, but is not limited  
23 to, arguments that the statute to which defendant is pleading guilty  
24 is unconstitutional, and any and all claims that the statement of  
25 facts provided herein is insufficient to support defendant's plea of  
26 guilty.

27 19. The USAO agrees that, provided (a) all portions of the  
28 sentence are at or below the statutory maximum specified above and

1 (b) the Court imposes a total sentence of no less than one year of  
2 probation, the USAO gives up its right to appeal any portion of the  
3 sentence.

4 RESULT OF WITHDRAWAL OF GUILTY PLEA

5 20. Defendant agrees that if, after entering a guilty plea  
6 pursuant to this agreement, defendant seeks to withdraw and succeeds  
7 in withdrawing defendant's guilty plea on any basis other than a  
8 claim and finding that entry into this plea agreement was  
9 involuntary, then the USAO will be relieved of all of its obligations  
10 under this agreement.

11 EFFECTIVE DATE OF AGREEMENT

12 21. This agreement is effective upon signature and execution of  
13 all required certifications by defendant, defendant's counsel, and an  
14 Assistant United States Attorney.

15 BREACH OF AGREEMENT

16 22. Defendant agrees that if defendant, at any time after the  
17 signature of this agreement and execution of all required  
18 certifications by defendant, defendant's counsel, and an Assistant  
19 United States Attorney, knowingly violates or fails to perform any of  
20 defendant's obligations under this agreement ("a breach"), the USAO  
21 may declare this agreement breached. All of defendant's obligations  
22 are material, a single breach of this agreement is sufficient for the  
23 USAO to declare a breach, and defendant shall not be deemed to have  
24 cured a breach without the express agreement of the USAO in writing.  
25 If the USAO declares this agreement breached, and the Court finds  
26 such a breach to have occurred, then: (a) if defendant has previously  
27 entered a guilty plea pursuant to this agreement, defendant will not  
28

1 be able to withdraw the guilty plea, and (b) the USAO will be  
2 relieved of all its obligations under this agreement.

3 COURT AND UNITED STATES PROBATION AND PRETRIAL SERVICES

4 OFFICE NOT PARTIES

5 23. Defendant understands that the Court and the United States  
6 Probation and Pretrial Services Office are not parties to this  
7 agreement and need not accept any of the USAO's sentencing  
8 recommendations or the parties' agreements to facts or sentencing  
9 factors.

10 24. Defendant understands that both defendant and the USAO are  
11 free to: (a) supplement the facts by supplying relevant information  
12 to the United States Probation and Pretrial Services Office and the  
13 Court, (b) correct any and all factual misstatements relating to the  
14 Court's Sentencing Guidelines calculations and determination of  
15 sentence, and (c) argue on appeal and collateral review that the  
16 Court's Sentencing Guidelines calculations and the sentence it  
17 chooses to impose are not error, although each party agrees to  
18 maintain its view that the calculations in paragraph 11 are  
19 consistent with the facts of this case. While this paragraph permits  
20 both the USAO and defendant to submit full and complete factual  
21 information to the United States Probation and Pretrial Services  
22 Office and the Court, even if that factual information may be viewed  
23 as inconsistent with the facts agreed to in this agreement, this  
24 paragraph does not affect defendant's and the USAO's obligations not  
25 to contest the facts agreed to in this agreement.

26 25. Defendant understands that even if the Court ignores any  
27 sentencing recommendation, finds facts or reaches conclusions  
28 different from those agreed to, and/or imposes any sentence up to the

1 maximum established by statute, defendant cannot, for that reason,  
2 withdraw defendant's guilty plea, and defendant will remain bound to  
3 fulfill all defendant's obligations under this agreement. Defendant  
4 understands that no one -- not the prosecutor, defendant's attorney,  
5 or the Court -- can make a binding prediction or promise regarding  
6 the sentence defendant will receive, except that it will be within  
7 the statutory maximum.

8 NO ADDITIONAL AGREEMENTS

9 26. Defendant understands that, except as set forth herein,  
10 there are no promises, understandings, or agreements between the USAO  
11 and defendant or defendant's attorney, and that no additional  
12 promise, understanding, or agreement may be entered into unless in a  
13 writing signed by all parties or on the record in court.

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PLEA AGREEMENT PART OF THE GUILTY PLEA HEARING

27. The parties agree that this agreement will be considered part of the record of defendant's guilty plea hearing as if the entire agreement had been read into the record of the proceeding.

AGREED AND ACCEPTED

UNITED STATES ATTORNEY'S OFFICE  
FOR THE CENTRAL DISTRICT OF  
CALIFORNIA

TRACY L. WILKISON  
United States Attorney

*Aaron Frumkin*

AARON FRUMKIN  
Assistant United States Attorney

*[Signature]*  
ROBERT NASH  
Defendant

*[Signature]*  
DAVID M. MURPHY  
Attorney for Defendant  
ROBERT NASH

April 5, 2022

Date

31 MAR 2022

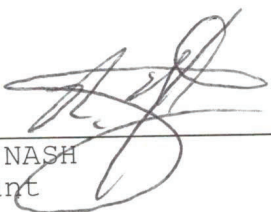
Date

4-4-2022

Date

CERTIFICATION OF DEFENDANT

I have read this agreement in its entirety. I have had enough time to review and consider this agreement, and I have carefully and thoroughly discussed every part of it with my attorney. I understand the terms of this agreement, and I voluntarily agree to those terms. I have discussed the evidence with my attorney, and my attorney has advised me of my rights, of possible pretrial motions that might be filed, of possible defenses that might be asserted either prior to or at trial, of the sentencing factors set forth in 18 U.S.C. § 3553(a), of relevant Sentencing Guidelines provisions, and of the consequences of entering into this agreement. No promises, inducements, or representations of any kind have been made to me other than those contained in this agreement. No one has threatened or forced me in any way to enter into this agreement. I am satisfied with the representation of my attorney in this matter, and I am pleading guilty because I am guilty of the charge and wish to take advantage of the promises set forth in this agreement, and not for any other reason.

  
\_\_\_\_\_  
ROBERT NASH  
Defendant31 MAR 2022  
Date



CERTIFICATION OF DEFENDANT'S ATTORNEY

I am Robert Nash's attorney. I have carefully and thoroughly discussed every part of this agreement with my client. Further, I have fully advised my client of his rights, of possible pretrial motions that might be filed, of possible defenses that might be asserted either prior to or at trial, of the sentencing factors set forth in 18 U.S.C. § 3553(a), of relevant Sentencing Guidelines provisions, and of the consequences of entering into this agreement. To my knowledge: no promises, inducements, or representations of any kind have been made to my client other than those contained in this agreement; no one has threatened or forced my client in any way to enter into this agreement; my client's decision to enter into this agreement is an informed and voluntary one; and the factual basis set forth in this agreement is sufficient to support my client's entry of a guilty plea pursuant to this agreement.

  
\_\_\_\_\_  
DAVID M. MURPHY  
Attorney for Defendant  
ROBERT NASH

4-4-2022  
\_\_\_\_\_  
Date